

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

-----X **Docket#**
UNITED STATES OF AMERICA, : 18-cr-00137(EK)-2
: :
: :
- versus - : U.S. Courthouse
: Brooklyn, New York
YASSINE, ET AL., : :
: March 7, 2023
Defendants : 2:07 p.m.
-----X

TRANSCRIPT OF CRIMINAL CAUSE FOR GUILTY PLEA
BEFORE THE HONORABLE CHERYL L. POLLAK
UNITED STATES CHIEF MAGISTRATE JUDGE

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1 THE CLERK: All rise. This is the matter of
2 the *United States v. Rahman*, case number 18-cr-137,
3 Criminal Cause for Pleading. For the record, it is March
4 7, 2023 at 2:07 p.m.

5 Counsel and parties, please state your
6 appearances for the record.

7 MS. BERENSON: Nomi Berenson on behalf of the
8 United States. Good afternoon, your Honor.

9 THE COURT: Good afternoon.

10 MR. MYSLIWIEC: Aaron Mysliwiec on behalf of
11 Mr. Rahman. Good afternoon, your Honor.

12 THE COURT: Good afternoon. And we have with
13 us an Arabic interpreter?

14 THE INTERPRETER: That's right, your Honor. My
15 name is Mounir Khaddar, Arabic federal court interpreter.
16 Defendant might today use me on standby basis if you
17 don't mind.

18 THE COURT: Okay. All right. Well, let me
19 swear you in in any event.

20 (Mounir Khaddar, interpreter, sworn)

21 THE COURT: All right. Everyone may be seated.

22 THE INTERPRETER: Thank you. Good afternoon.

23 THE COURT: Yes. Thank you.

24 So good afternoon, Mr. Rahman. I take it that
25 you do understand some English. Is that correct?

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1 THE DEFENDANT: Yes, I do.

2 THE COURT: Okay. If at any point during these
3 proceedings someone says something that you do not
4 understand, please feel free to let me know and I will
5 either rephrase what I'm saying or you can speak to the
6 interpreter and he will help you by translating.

7 THE DEFENDANT: Okay. Thank you, your Honor.

8 THE COURT: Do you understand all of that?

9 THE DEFENDANT: Yes.

10 THE COURT: Okay. All right.

11 THE DEFENDANT: Thank you.

12 THE COURT: So the first issue I want to deal
13 with is your consent to have me hear your plea. You
14 understand that this is Judge Komitee's case and he is
15 the United States District Judge who will sentence you
16 and who will make the ultimate decision as to whether or
17 not to accept your plea of guilty.

18 THE DEFENDANT: Yes, I do.

19 THE COURT: If you wish, you have the absolute
20 right to have Judge Komitee hear your plea. And if you
21 choose to do that, there will be no prejudice to you.

22 On the other hand, if you wish, I will hear
23 your plea this afternoon and a transcript of these
24 proceedings will be made by from the tape recording
25 devices here in the courtroom and that transcript will be

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1 given to Judge Komitee to review at the time of your
2 sentence and when he makes his decision as to whether or
3 not to accept your plea of guilty.

4 Do you wish to give up your right to have Judge
5 Komitee hear your plea and agree instead to proceed
6 before me this afternoon?

7 THE DEFENDANT: No, I don't mind to continue
8 this proceeding now with you, your Honor.

9 THE COURT: So you agree to have me hear your
10 plea?

11 THE DEFENDANT: You, yeah.

12 THE COURT: Is that what you're saying?

13 THE DEFENDANT: Yeah.

14 THE COURT: Okay. That means you give up your
15 right to have Judge Komitee hear it today, right?

16 THE DEFENDANT: Yes, I do.

17 THE COURT: All right. So long as we all
18 understand that. Okay. Do you make this decision
19 voluntarily and of your own free will?

20 THE DEFENDANT: Yes, I do.

21 THE COURT: Has anyone made any threats or
22 promises to get you to agree to have me hear your plea?

23 THE DEFENDANT: No, no, your Honor.

24 THE COURT: Okay. This is the consent form,
25 Bou, would you show this to the defendant, please, which

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1 I believe you may have seen before. Could you take a
2 look at it and tell me, first of all, have you seen it
3 before?

4 THE DEFENDANT: Yeah. I already signed it.

5 THE COURT: Okay. And you discussed it with
6 your attorney?

7 THE DEFENDANT: Yes, of course, your Honor.

8 THE COURT: And that is your signature at the
9 bottom of the page?

10 THE DEFENDANT: Yes.

11 THE COURT: Okay. All right. And I'll note
12 for the record that it has been signed by counsel for the
13 defendant, by the Assistant U.S. Attorney, and I'm
14 endorsing it as well.

15 Okay. Now Mr. Rahman, before I can hear your
16 plea, there are a number of questions that I have to ask
17 you to ensure that it is a valid plea. Again, if you
18 don't understand any of my questions, just tell me and I
19 will rephrase them. Okay?

20 THE DEFENDANT: Okay.

21 THE COURT: All right. Would you raise your
22 right hand, please?

23 H A S S A N R A H M A N,

24 called as a witness, having been first duly sworn,
25 was examined and testified as follows:

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1 THE COURT: You can put your hand down. You
2 understand that having been sworn, your answers to my
3 questions will be subject to the penalties of perjury or
4 making a false statement if you don't answer them
5 truthfully?

6 THE DEFENDANT: Yes, I do.

7 THE COURT: Do you understand that?

8 THE DEFENDANT: Yes, I do.

9 THE COURT: Okay. What is your full name?

10 THE DEFENDANT: Hassan, the full name is Hassan
11 Abraham, but on the passport Hassan Rahman, H-A-S-S-A-N,
12 R-A-H-M-A-N.

13 THE COURT: Okay. Thank you. And how old are
14 you, sir?

15 THE DEFENDANT: 39.

16 THE COURT: 39?

17 THE DEFENDANT: Yes.

18 THE COURT: Okay. What education have you had?

19 THE DEFENDANT: I graduated from university.

20 THE COURT: Okay. Have you had any difficulty
21 speaking to your attorney?

22 THE DEFENDANT: No, I don't have.

23 THE COURT: Okay. Counsel, have you had any
24 problems communicating with your client?

25 MR. MYSLIWIEC: I have not, your Honor.

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1 THE COURT: All right. Do you usually speak to
2 him in English or do you use an interpreter?

3 MR. MYSLIWIEC: Almost always in English.

4 THE COURT: All right. Mr. Rahman, are you
5 presently or have you recently been under the care of
6 either a physician or a psychiatrist?

7 THE DEFENDANT: No.

8 THE COURT: In the last 24 hours have you taken
9 any narcotic drugs?

10 THE DEFENDANT: No.

11 THE COURT: Any medicine or pills of any kind
12 in the last 24 hours?

13 THE DEFENDANT: No.

14 THE COURT: Have you had any alcohol to drink
15 in the last 24 hours?

16 THE DEFENDANT: No.

17 THE COURT: Have you ever been hospitalized or
18 treated for narcotics addiction?

19 THE DEFENDANT: No.

20 THE COURT: Have you ever been treated for any
21 mental or emotional problems?

22 THE DEFENDANT: No.

23 THE COURT: As you sit here before me today is
24 your mind clear?

25 THE DEFENDANT: Yes.

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1 THE COURT: Do you understand what we're doing
2 here today?

3 THE DEFENDANT: Yes, I do.

4 THE COURT: Counsel, have you discussed the
5 matter of pleading guilty with your client?

6 MR. MYSLIWIEC: Do you want me to stand, your
7 Honor?

8 THE COURT: No, you can sit. It's fine.

9 MR. MYSLIWIEC: Yes, I've spoken to him about
10 it extensively.

11 THE COURT: Okay. Does he understand the
12 rights that he will be waiving by pleading guilty?

13 MR. MYSLIWIEC: He does.

14 THE COURT: In your view, is he capable of
15 understanding the nature of these proceedings?

16 MR. MYSLIWIEC: Yes, your Honor. In my view he
17 is.

18 THE COURT: Do you have any doubt as to his
19 competence to plead at this time?

20 MR. MYSLIWIEC: I do not.

21 THE COURT: Have you advised him of the maximum
22 sentence and the fine that can be imposed as a result of
23 his plea here?

24 MR. MYSLIWIEC: Yes, I have.

25 THE COURT: And have you discussed with him the

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1 operation of the sentencing guidelines in this case?

2 MR. MYSLIWIEC: I have.

3 THE COURT: Okay. Now Mr. Rahman, you have the
4 right to be represented by an attorney in connection with
5 these charges from this point forward. I understand that
6 you have retained counsel, correct?

7 MR. MYSLIWIEC: Correct, your Honor.

8 THE COURT: But if for some reason you could
9 not afford to pay for counsel, the court would appoint an
10 attorney to represent you because you have the right to
11 be represented by an attorney in connection with these
12 charges. Do you understand that?

13 THE DEFENDANT: Yes, I do.

14 THE COURT: Okay. Do you feel that you have
15 had enough time to discuss your case with your attorney?

16 THE DEFENDANT: Yes, I have.

17 THE COURT: And are you satisfied to have him
18 represent you?

19 THE DEFENDANT: Yes.

20 THE COURT: Okay. Have you received a cop of
21 the superseding indictment, the charges in this case?

22 THE DEFENDANT: Yes, I did.

23 THE COURT: Okay. And as I understand it, you
24 seek today to plead guilty to count 1 of the indictment.
25 Is that correct, counsel?

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1 MR. MYSLIWIEC: That's correct, your Honor.

2 THE COURT: All right. And Mr. Rahman, you've
3 discussed Count 1 and the rest of the indictment with
4 your attorney. Is that fair to say?

5 THE DEFENDANT: Yes, yes.

6 THE COURT: Okay. All right. So Count 1
7 charges you with in or about and between June 2017 and
8 March 2018, both dates being approximate and inclusive,
9 within the Eastern District of New York and elsewhere
10 you, together with others, did knowingly and
11 intentionally conspire to conduct one or more financial
12 transactions in and affecting interstate and foreign
13 commerce and involving a financial institution, the
14 activities of which had an effect on interstate and
15 foreign commerce. Specifically, the transfer and
16 delivery of United States currency which transactions
17 involved property represented by a law enforcement
18 officer and a person at the direction of and with the
19 approval of a federal official authorized to investigate
20 violations of this particular section of the United
21 States Code Section 1956 and that it was represented that
22 these are the proceeds of a specified unlawful activity,
23 specifically narcotics trafficking, in violation of
24 United States law, and that property used to conduct and
25 facilitate the specified unlawful activity, drug

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1 trafficking, with the intent to promote the carrying on
2 of that unlawful activity and to conceal and disguise the
3 nature, the location, the source, the ownership, and the
4 control of property believed to be the proceeds of that
5 unlawful activity in violation of United States law.

6 Now, that's pretty complicated so I'm going to
7 try to break it down for you a little bit.

8 First of all, do you understand what a
9 conspiracy is?

10 THE DEFENDANT: Yes, I do.

11 THE COURT: Okay. In other words, a conspiracy
12 is an unlawful agreement between two or more people to
13 engage in an unlawful activity. In this case, you are
14 charged with entering into this unlawful agreement with
15 someone else or some others knowing that it was an
16 unlawful activity that you were agreeing to engage in.
17 Do you understand that?

18 THE DEFENDANT: Yes, I do.

19 THE COURT: Okay. And the charge that you are
20 facing here is that you agreed with someone to engage in
21 money laundering. Do you understand that?

22 THE DEFENDANT: Yes.

23 THE COURT: Okay. And in order to establish
24 that what you were doing was involving money laundering,
25 the government would have to prove that you conducted or

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1 attempted to conduct a financial transaction that
2 affected interstate or foreign commerce, and that the
3 transaction that you were engaged in involved property
4 that had been represented by a law enforcement officer
5 and which you believed to be true were proceeds of some
6 form of unlawful activity. And third, that you acted
7 with the intention to promote that carrying on of that
8 unlawful activity, in this case drug trafficking, with
9 the intent to conceal or disguise the nature or the
10 location or the source, ownership, or control of the
11 money. Do you understand that?

12 THE DEFENDANT: Yes, I understand.

13 THE COURT: Okay. Now, I want to make sure
14 that you understand the rights that you will be giving up
15 if you decide to plead guilty to this charge.

16 If you were to persist in pleading not guilty,
17 under the constitution and the laws of the United States,
18 you would be entitled to a speedy and public trial by
19 jury with the assistance of counsel on the charges
20 contained in the indictment. Do you understand that?

21 THE DEFENDANT: Yes, I do.

22 THE COURT: At that trial, you would be
23 presumed innocent and the government would have to
24 overcome that presumption and prove you guilty by
25 competent evidence and beyond a reasonable doubt. You

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1 would not have to prove that you were innocent. If the
2 government were to fail, the jury would have the duty to
3 find you not guilty. Do you understand that?

4 THE DEFENDANT: Yes, I do.

5 THE COURT: In the course of a trial, the
6 witnesses would have to come to court, they would have to
7 testify in your presence. Your attorney would have the
8 right to cross examine those witnesses for the
9 government, to object to any evidence offered by the
10 government, and to subpoena witnesses and offer testimony
11 and evidence on your behalf. Do you understand that?

12 THE DEFENDANT: Yes, I do.

13 THE COURT: At the trial, while you would have
14 the right to testify if you chose to do so, you could not
15 be forced to testify. Under the Constitution of the
16 United States, a defendant in a criminal case cannot be
17 forced to take the witness stand and say anything that
18 could be used to show that he is guilty of the crime with
19 which he's been charged. If you were to decide not to
20 testify, the Court would instruct the jury that they
21 could not hold that decision against you. Do you
22 understand that?

23 THE DEFENDANT: Yes, I do.

24 THE COURT: If you plead guilty, on the other
25 hand, I'm going to have to ask you certain questions

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1 about what it is that you did in order to satisfy myself
2 that you are in fact guilty of the charge to which you
3 seek to plead guilty. You're going to have to answer my
4 questions and acknowledge your guilt. Thus, you will be
5 giving up that right that I just described, that is the
6 right not to say anything that could be used to show that
7 you are guilty of the crime with which you've been
8 charged. Do you understand that?

9 THE DEFENDANT: Yes, I do.

10 THE COURT: Okay. If you plead guilty and I
11 recommend to Judge Komitee that he accepts your plea, you
12 will be giving up your constitutional right to a trial
13 and all of the other rights that I've just described.
14 There will be no further trial of any kind. Judge
15 Komitee will simply enter a judgment of guilty based upon
16 your guilty plea. Do you understand that?

17 THE DEFENDANT: Yes, I do.

18 THE COURT: Are you willing to give up your
19 right to a trial and the other rights that I've just
20 described?

21 THE DEFENDANT: Yes, I do.

22 THE COURT: Okay. Now I understand there is a
23 plea agreement in this case. I'm marking it as
24 Government Exhibit 1 for purposes of these proceedings.

25 (Government's Exhibit 1 marked)

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1 THE COURT: Mr. Rahman, would you please take a
2 look at this agreement and tell me, first of all, have
3 you seen it before?

4 THE DEFENDANT: Yes, your Honor. Yes.

5 THE COURT: Have you had a chance to read it?

6 THE DEFENDANT: Yeah. Yes.

7 THE COURT: Okay. And did you discuss it with
8 counsel?

9 THE DEFENDANT: Yes, I did.

10 THE COURT: And do you understand what it says?

11 THE DEFENDANT: Yes.

12 THE COURT: Could you do me a favor and flip to
13 the last page and tell me if your signature is there?

14 THE DEFENDANT: Yes, it is.

15 THE COURT: Okay. Does this agreement fully
16 and accurately reflect your understanding of the
17 agreement you have with the government?

18 THE DEFENDANT: Yes.

19 THE COURT: Other than the promises in the
20 agreement, has anyone made any other promise that has
21 caused you to plead guilty here?

22 THE DEFENDANT: No.

23 THE COURT: Has anyone made any promise to you
24 as to what your sentence will be?

25 THE DEFENDANT: No.

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1 THE COURT: Okay. I want to briefly discuss
2 with you the sentencing scheme that applies here. So the
3 statute that you are accused of violating carries a
4 minimum term of imprisonment of zero years but a maximum
5 of possibly up to 20 years in prison. Do you understand
6 that?

7 THE DEFENDANT: Yes, I do.

8 THE COURT: Okay. Now, there are in effect
9 what are called sentencing guidelines and those
10 guidelines are merely that, a guide to help the Court
11 determine where within that zero to 20-year range your
12 sentence should fall. The guidelines are not mandatory
13 but the Court is required to consider the guidelines
14 along with all other relevant factors in determining what
15 an appropriate sentence for you should be. Do you
16 understand that?

17 THE DEFENDANT: Yes, I do.

18 THE COURT: The important thing that you must
19 understand is that until the time of sentencing when
20 Judge Komitee is going to get what is called a pre-
21 sentence report which will be prepared by the probation
22 department following your plea here, and the judge has an
23 opportunity to hear from you and to hear from your
24 attorney, and to hear from the government's attorney,
25 until that time no one can promise you exactly what your

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1 sentence will be; not your attorney, not the government's
2 attorney, not me, not even Judge Komitee until then. Do
3 you understand that?

4 THE DEFENDANT: Yes, I do.

5 THE COURT: Nevertheless, I'm going to ask the
6 government just to put on the record what your estimate
7 of the guideline range would be based upon what we know
8 today.

9 MS. BERENSON: Your Honor, as set forth in
10 paragraph 2 of the plea agreement to which the guidelines
11 calculation the defendant stipulates, calculating in --
12 well, starting with a base offense level of 28 and then
13 adding six levels for promotion of drug trafficking, plus
14 another four levels for being in the money laundering
15 business results in an offense level of 38. Less three
16 levels for entry of a guilty plea by today resulted in an
17 adjusted offense level of 35 assuming that the defendant
18 falls within criminal history category I. That
19 corresponds to an advisory guidelines range of 168 to 210
20 months.

21 THE COURT: Okay. And counsel, I take it that
22 the defendant has in fact stipulated to that guideline
23 calculation and has given up any right to a jury trial or
24 Fatico hearing.

25 MR. MYSLIWIEC: That's correct, your Honor.

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1 THE COURT: Okay. So you understand, Mr.
2 Rahman, even though you have agreed that the government's
3 guidelines calculation is accurate, it may be that the
4 probation department or the Court determines that a
5 different guideline range should apply. If that happens,
6 you understand that you will not be allowed to withdraw
7 your guilty plea? Do you understand that you've agreed
8 to that --

9 THE DEFENDANT: Yes, I do.

10 THE COURT: -- in the plea agreement?

11 THE DEFENDANT: Yes, I do.

12 THE COURT: Okay. All right. You also
13 understand that as a result of your plea, you face
14 possible removal or deportation back to your home
15 country. Do you understand that?

16 THE DEFENDANT: Yes, I do.

17 THE COURT: Okay. Is that mandatory removal?

18 MS. BERENSON: Yes, your Honor.

19 THE COURT: Okay. So it's not just possible,
20 you will be deported once you've completed any sentence
21 of imprisonment that you are directed to serve. You
22 understand that?

23 THE DEFENDANT: Yes, I do.

24 THE COURT: If for some reason you are not
25 immediately deported once you complete any sentence of

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1 imprisonment, you will be placed on supervised release
2 for as long as you remain in this country. Do you know
3 what supervised release is?

4 THE DEFENDANT: Yes, I do.

5 THE COURT: Okay. Basically, it's like
6 probation. You'll be released from jail but there'll be
7 certain restrictions placed upon your freedom. For
8 example, reporting to a probation officer on a periodic
9 basis is a common restriction. You understand that?

10 THE DEFENDANT: Yes, I do.

11 THE COURT: The important thing here is that as
12 a result of your plea, you face a maximum term of
13 supervised release of three years. And if you violate
14 any of the conditions of supervised release, you can be
15 sentenced up to two years in prison without getting any
16 credit for the time that you previously served in prison
17 and without getting any credit for the time that you
18 served successfully on supervised release up until the
19 date that you committed the violation. Do you understand
20 that?

21 THE DEFENDANT: Yes, I do.

22 THE COURT: Okay. You also face a potential
23 fine. The maximum fine that can be imposed is the
24 greater of 500,000 or twice the gross gain or twice the
25 gross loss. Ms. Berenson, do you have some estimate of

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1 what the gross gain or loss might be in this case?

2 MS. BERENSON: I do not, your Honor.

3 THE COURT: Okay. So at this point we don't
4 know if it's going to be 500,000 or something else,
5 correct?

6 MS. BERENSON: Yes.

7 THE COURT: Okay. You understand that?

8 THE DEFENDANT: Yes, I do.

9 THE COURT: Okay. And you must pay a \$100.00
10 special assessment. Do you understand that as well?

11 THE DEFENDANT: Yes, I do.

12 THE COURT: And there's no restitution in this
13 case, correct?

14 MS. BERENSON: Correct.

15 THE COURT: Okay. Now, in the plea agreement
16 you have also agreed to forfeit \$20,000 in connection
17 with your plea here. This amount is to be paid in full
18 30 days in advance of your sentencing date. Do you
19 understand that you've agreed to that?

20 THE DEFENDANT: Yes, I do.

21 THE COURT: Okay. You also understand that you
22 have agreed to assist the government in effectuating the
23 payment of that money judgment, forfeiture money
24 judgment, by executing whatever documents they ask you to
25 sign and also by not assisting anyone else to try to

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1 obtain that \$20,000. Do you understand that?

2 THE DEFENDANT: Yes, I do.

3 THE COURT: Okay. You also have agreed to
4 disclose your assets to the government on a financial
5 statement which must be submitted 60 days or earlier
6 before sentencing. Do you understand that?

7 THE DEFENDANT: Yes, I do now.

8 THE COURT: Okay. And you've given up any
9 right that you might have to notice concerning the
10 forfeiture of these monies and any right that you might
11 have to a jury trial. Do you understand that?

12 THE DEFENDANT: Yes, I do.

13 THE COURT: Okay. Now you can appeal your
14 conviction if you believe that your guilty plea here was
15 somehow unlawful, or involuntary, or there was some other
16 fundamental defect in these proceedings that was not
17 waived by your plea. You also have a statutory right to
18 appeal your sentence under certain circumstances if you
19 believe that your sentence is contrary to law. However,
20 in the plea agreement, you've agreed that you will not
21 file an appeal or otherwise challenge your conviction or
22 your sentence so long as the Court imposes a term of
23 imprisonment of 235 months or less. Do you understand
24 that you've agreed to that?

25 THE DEFENDANT: Yes, I do, your Honor.

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1 THE COURT: Okay. Anything else in the plea
2 agreement that I need to review with the defendant?

3 MS. BERENSON: No, your Honor.

4 THE COURT: Counsel?

5 MR. MYSLIWIEC: No, your Honor.

6 THE COURT: All right. Mr. Rahman, do you have
7 any questions that you would like to ask me about the
8 charge, or your rights, or the plea agreement, or
9 anything else before we proceed?

10 THE DEFENDANT: No, your Honor. Everything's
11 good.

12 THE COURT: Are you ready to plead at this
13 time?

14 THE DEFENDANT: Yes.

15 THE COURT: Counsel, do you know of any reason
16 why the defendant should not plead guilty?

17 MR. MYSLIWIEC: I do not.

18 THE COURT: Are you aware of any viable legal
19 defense to the charge?

20 MR. MYSLIWIEC: No.

21 THE COURT: Hassan Rahman, what is your plea to
22 Count 1 of indictment 18-cr-137-S1; guilty or not guilty?

23 THE DEFENDANT: Guilty.

24 THE COURT: Are you making this plea of guilty
25 voluntarily and of your own free will?

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1 THE DEFENDANT: Yes, I do.

2 THE COURT: Has anyone threatened or forced you
3 to plead guilty?

4 THE DEFENDANT: No, your Honor.

5 THE COURT: Has anyone made any promise to you
6 as to what your sentence will be?

7 THE DEFENDANT: No, your Honor.

8 THE COURT: All right. I read the charge to
9 you a few minutes ago. I want you to tell me in your own
10 words what it is that you did between June 2017 and March
11 2018 in connection with this agreement to launder funds.

12 THE DEFENDANT: Your Honor, if you don't mind,
13 I prepared something to read.

14 THE COURT: Okay. Go ahead.

15 THE DEFENDANT: Okay. Thank you.

16 Between June 2017 and March 2018 I was an
17 employee of Mohamad Yassine's money transfer business.
18 While working with Mohamad Yassine, I agreed to assist
19 with him organizing financial transactions that involved
20 using United States financial institutions to transfer
21 money including sending money, including sending United
22 States currency to Brooklyn, United States.

23 I knew that some of the money that was
24 transferred was money that was represented to be from
25 drug trafficking done by other people. When we work

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1 together to transfer these funds we thought they were
2 profits from illegal activity and that we were
3 intentionally concealing this fact.

4 THE COURT: Okay.

5 THE DEFENDANT: Thanks, your Honor.

6 THE COURT: And when you say that you
7 transferred these funds to Brooklyn, where were they
8 being transferred from?

9 THE DEFENDANT: There's several places. From
10 Turkey. And we assume the original money in Australia.

11 THE COURT: Okay.

12 THE DEFENDANT: Yeah. But Turkish transfer, to
13 Turkish banks we transfer the money.

14 THE COURT: Okay. So they were transferring
15 money to you in Brooklyn? Were you in Brooklyn? Is that
16 where the --

17 MR. MYSLIWIEC: The other way. He was
18 transferring the money to Brooklyn.

19 THE DEFENDANT: Yeah.

20 THE COURT: But where was he located?

21 MR. MYSLIWIEC: He was located overseas.

22 THE COURT: I see. Okay, okay. All right.

23 MR. MYSLIWIEC: In Lebanon.

24 THE COURT: You were in Lebanon transferring
25 funds from Turkey and Australia to the United States.

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1 THE DEFENDANT: Yes.

2 THE COURT: Correct?

3 THE DEFENDANT: Yes.

4 THE COURT: Okay. And you knew these were the
5 proceeds of some illegal activity?

6 THE DEFENDANT: Yes. Yes, I know.

7 THE COURT: Okay. And what would the
8 government's proof be with respect to the effect on
9 interstate or foreign commerce? I think I know but --

10 MS. BERENSON: The use of the financial
11 institutions, your Honor.

12 THE COURT: Okay. And it was overseas
13 transactions.

14 MS. BERENSON: Yes.

15 THE COURT: Okay. Is there anything else I
16 should inquire of the defendant?

17 MS. BERENSON: No, your Honor.

18 THE COURT: All right. Counsel, anything else?

19 MR. MYSLIWIEC: No, your Honor.

20 THE COURT: Based on the information given to
21 me, I find that the defendant is acting voluntarily,
22 fully understands his rights and the consequences of his
23 plea, and that there is a factual basis for the plea. I
24 will therefore recommend to Judge Komitee that he accept
25 your plea of guilty to Count 1 of the indictment.

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1 What happens now is you're going to meet with
2 someone from the probation department to prepare the pre-
3 sentence report that we talked about a little bit
4 earlier. I urge you to cooperate with them obviously
5 with your attorney's advice. And we currently have a
6 date set for sentencing of June 16th at 10 a.m. If for
7 some reason, counsel, that doesn't work for you, please
8 get in touch with Judge Komitee's case manager to find
9 another date. Okay?

10 MR. MYSLIWIEC: Yes, your Honor. Thank you.

11 THE COURT: All right. Anything else today?

12 MS. BERENSON: Nothing from the government.

13 THE COURT: All right. Counsel, anything else?

14 MR. MYSLIWIEC: No, your Honor. Thank you.

15 THE COURT: All right. Thank you, everyone.

16 MS. BERENSON: Thank you.

17 THE COURT: Have a nice afternoon.

18 (Matter concluded)

19 -oOo-

C E R T I F I C A T E

I, MARY GRECO, hereby certify that the foregoing transcript of the said proceedings is a true and accurate transcript from the electronic sound-recording of the proceedings reduced to typewriting in the above-entitled matter.

I FURTHER CERTIFY that I am not a relative or employee or attorney or counsel of any of the parties, nor a relative or employee of such attorney or counsel, or financially interested directly or indirectly in this action.

IN WITNESS WHEREOF, I hereunto set my hand this 21st day of April, 2023.



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